

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

| | | |
|----------------------------|---|----------------------------|
| DARRYL GRAY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 4:18-cv-01678-JCH |
| |) | |
| CITY OF ST. LOUIS, et al., |) | |
| |) | |
| Defendants. |) | |

JOINT PROPOSED SCHEDULING PLAN

Pursuant to the Court's September 27, 2022 Memorandum and Order (Doc. No. 72) the parties submit the following Joint Proposed Scheduling Plan:

1. The Track 2 assignment is appropriate.
2. All motions for joinder of additional parties or amendment of pleadings shall be made by **December 1, 2022**.
3. The discovery plan is as follows:
 - a. The parties do not anticipate any issues related to electronically stored information and agree that all electronically stored information shall be produced in a reasonably useable form. If it appears that electronically stored information will be extensive, the parties will work together to file a joint proposed ESI protocol with the Court. If the parties are unable to resolve any disagreements regarding electronically stored information, the parties will submit such disagreements to the Court for resolution.
 - b. The parties agree to submit a proposed order, as necessary, to assert claims of privilege or of protection as trial-preparation material after production,

including agreements under Fed. R. Evid. 502. The parties further agree to submit a protective order designating that personal information regarding police officer defendants and witnesses, such as addresses and phone numbers, will be disclosed for attorneys' and experts' eyes only and shall be subject to return or destruction at the conclusion of the case. The parties agree that documents containing such information can be used by the parties in filings with the Court, subject to redaction of any personal information. Further, where the public release of materials relating to law enforcement procedures and protocols would create a danger to the officers or public, the parties agree such documents will be disclosed for attorneys' and experts' eyes only and shall be subject to return or destruction at the conclusion of the case.

- c. The parties have already exchanged Fed. R. Civ. P. Rule 26(a)(1) disclosures.
- d. Discovery will not be conducted in phases or limited to certain issues.
- e. Plaintiffs' expert witnesses and reports shall be disclosed no later than **January 23, 2022**; Plaintiffs' expert witnesses shall be made available for deposition no later than **February 24, 2023**. Defendants' experts and reports shall be disclosed no later than **March 24, 2023**; Defendants' expert witnesses shall be made available for deposition no later than **April 24, 2023**.
- f. Except by written agreement of the parties or motion showing good cause, the presumptive limitations on the number of depositions and

interrogatories apply to this case.

- g. If physical examinations of Plaintiff are requested, the requests shall be made by **December 1, 2022** and the examinations shall be completed by **January 16, 2023**.
- h. Discovery will be completed by **April 24, 2023**.
- i. All motions to compel discovery must be filed by **May 5, 2023**.
- j. Any *Daubert* motions will be filed by **May 24, 2023**.

4. The parties believe referral for mediation would be productive, with referral by **November 1, 2023**.

5. All dispositive motions shall be filed by **May 24, 2023**.

6. The earliest possible date by which this case should reasonably be expected to be ready for trial is **October 18, 2023**.

7. The estimated length of time expected to try the case to verdict is 4-5 days.

Date: October 11, 2022

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Respectfully Submitted,

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